Town of Hopkinton, New Hampshire Minutes of the Annual Town Meeting March 14, 2009

Moderator Gary Richardson called the annual meeting of the Town of Hopkinton to order on March 14, 2009, at 9:09 a.m. in the Hopkinton High School gymnasium.

Girl Scout Troop 20369 and Brownie Troop 10071 presented the flag and led the Pledge of Allegiance. Kathy Donohoe sang the National Anthem.

The moderator called on Fire Chief Rick Schaefer to make a public safety announcement. Rick Schaefer pointed out three exits in case of evacuation.

The moderator made an announcement about Girl Scout Troop 20369 collecting donations outside the gymnasium.

The moderator introduced the officials present: Selectmen Chairman Scott Flood, Selectman Thomas Congoran, Selectman James O'Brien, Selectman George Langwasser, Selectman Christopher Lawless, Town Administrator Leon Kenison and Finance Director Robert Blanchette.

The moderator went over parliamentary procedures and reviewed differences from the School Board Meeting. He said when someone makes a motion to reconsider an article, the item will be reconsidered today. He also noted that any 5 voters can request a written ballot, but only while the article is being discussed. The names are also on public record.

The moderator read the results of Tuesday's election.

FOR BUDGET COMMITTEE for Three Years, One Elected **David Lancaster 664 elected** Timothy Carney 461

FOR CEMETERY TRUSTEE for Three Years, One Elected Sara McNeil 1085 elected

FOR LIBRARY TRUSTEE for Three Years, Two Elected Peter Gagnon 915 elected Barry Needleman 810 elected

FOR LIBRARY TRUSTEE for Two Years, One Elected **Elaine Loft 1103 elected**

FOR SELECTMAN for Three Years, One Elected Anthony Costine 111 **George Langwasser 700 elected** Marion Paxton 315 FOR SCHOOL BOARD for Three Years, Two Elected Lawrence "Larry" Donahue 785 elected Louis Josephson 739 elected James Paxton 470

FOR SCHOOL CLERK for One Year, One Elected **Susan Batchelder 1061 elected**

FOR SCHOOL MODERATOR for One Year, One Elected **Edward Kaplan 274 elected**

FOR SCHOOL TREASURER for One Year, One Elected **Allan Bloomquist 657 elected** Samuel Delgado 453

Warrant Article 2: Zoning Amendments

Article 2.1 YES-912, NO-223 Approved YES-953, NO-190 Approved

Proposed Town Government Procedural Change

Article 3: Do you favor adoption of the town manager plan as provided in chapter 37 of the Revised Statutes Annotated? Submitted by petition.

YES-295, **NO-848** – **Failed**

Proposed Hopkinton School District Procedural Change

Shall we adopt the provisions of RSA 40:13 (known as SB-2) to allow official ballot voting on all issues before the Hopkinton School District on the second Tuesday of March? Majority vote needed to pass. Submitted by petition.

YES-666, NO-608 - Failed

Chairman Flood requested to speak before the voting commenced. He requested a moment of silence in memory of Hopkinton Police Officer Sean Powers. Chairman Flood also presented awards to the heads of the Police Department, Fire Department and Public Works for an outstanding national disaster response during December's ice storm.

Chairman Flood summarized this year's budget, noting the tough economic climate. The town worked hard to successfully present a budget with a zero increase, actually below zero. The tax rates were set in the fall based on the available information then and were just estimates. He stressed that the tax assessments may be higher, which is important to consider when voting today. Selectman Flood added that the Budget Committee does not recommend a 3% COLA for town employees, but the Selectmen built the budget to include those salary increases and would like to honor that, no matter how the town votes. He said they would make cuts in other places in the budget.

<u>Article 4:</u> The moderator recognized Chairman Flood for the purpose of moving Article 4, seconded by Selectman Langwasser, as follows, to see if the Town will vote to raise and appropriate the sum of \$1,018,630 to defray the cost of General Government Operations:

General Government Functions	<u>\$\$ in Year 2009</u>
Executive	205,973
Election, Registrations, Vital Stats & Tax Cuts	258,271
Financial Administration	111,184
Assessing	124,258
Legal	35,000
Personnel Administration	24,100
Planning & Zoning Departments	96,603
Cemeteries	38,585
Insurance	122,656
Economic Development Committee	<u>2,000</u>
Total	\$1,018,630
(Majority Vote Required)	
The Board of Selectmen does not recommend this article.	

The Budget Committee recommends this article.

Janet Krzyzaniak made a motion to amend Article 4 to increase it by \$64,000 to a total of \$1,082,630, seconded by Pat Finerty.

Janet Krzyzaniak stated that if the town does not support the amended budget with the 3% COLA increase, the Selectmen still stand by the 3% COLA increase and will find other areas in the budget to cut. However, the budget is not padded and there are no places to cut. Furthermore, there are no other opportunities for town employee raises. COLA is the only opportunity.

David Lancaster said the employees should be happy they have jobs. He noted that the Selectmen made the decision to keep the COLA raises before Town Meeting and it's wrong for them to promise such a thing before the town votes. He added that the town should vote how they did at the school meeting.

Dave Boughton asked what the tax rate would be if the COLA raises were added. Selectman Lawless responded \$0.08 per \$1,000.

Steve Clough, assistant superintendent of public works/waste, said it is rare that the department heads ask for raises, usually only for other employees. He stressed that if the town chooses to cut COLA, none of the department heads will complain. But, he asks that the voters direct the Selectmen to honor the town's decision because there are no places to cut from the budgets after Town Meeting.

The moderator called for a voice vote on the motion to amend the amount and declared the motion failed.

The moderator called for a voice vote on Article 4 and declared it passed.

<u>Article 5:</u> The moderator recognized Selectman Lawless for the purpose of moving Article 5, seconded by Selectman Langwasser, to be see if the Town will vote to raise and appropriate the sum of \$1,388,077 to defray the cost of Public Safety Operations:

Public Safety Operations	\$\$ in Year 2009
Police Department	647,054
Animal Control	7,084
Ambulance	493,102
Fire Department	232,061
Rescue Squad	8,775
Emergency Management	1
Total	\$1,388,077

(Majority Vote Required)

The Board of Selectmen does not recommend this article.

The Budget Committee recommends this article.

There was no debate on the article.

The moderator called for a voice vote and declared Article 5 passed.

<u>Article 6:</u> The moderator recognized Selectman Congoran for the purpose of moving Article 6, seconded by Chairman Flood, to see if the Town will vote to raise and appropriate the sum of **\$2,081,702** to defray the cost of Public Works Operations:

Public Works Operations	\$\$ in Year 2009
Highway Administration	553,399
Highways & Streets	561,186
Buildings & Grounds	224,454
Street Lighting	1,650
Transfer Station Operations	583,699
Landfill Maintenance & Monitoring	48,450
Sewer Department	<u>108,864</u>
Total	\$2,081,702

(Majority Vote Required)

The Board of Selectmen does not recommend this article.

The Budget Committee recommends this article.

Selectman Congoran explained that this budget is approximately 1% higher than last year's budget.

Martha McNeil made a motion to decrease Article 6 by \$54,000 to make up for the onetime expense increase to the 2008 budget. Danny Coen seconded the motion.

Chairman Flood noted that the Public Works Department has not had any money leftover in their budget to rebuild the roads, so it is important for the Town to vote against the motion to decrease their budget.

Louise Carr also asked the voters to reject the amendment, saying that the Public Works Department was behind schedule and could not catch up to fixing the roads and doing their job.

Danny Coen said he understands that typically the money from the Public Works Department has been redirected, but if they have the money to fix the roads, will they?

Martha Fairfield asked why the Selectmen did not support this warrant article.

Chairman Flood stressed that there may be a number of places in the 2008 Town Report where it says the Selectmen did not support certain articles, but subsequently voted differently during the budget planning process.

The moderator called for a voice vote on the motion to amend the amount and declared the motion failed. He opened the floor to further amendments and discussion.

Tom Slosek asked if the transfer station line item in Article 6 would change if the pay-as-you-throw article (20) passes.

Selectman Congoran said the transfer station costs would not decrease this year as a result of the PAYT program.

Marion Paxton submitted a written request to amend so that the Selectmen be directed not to pay any additional COLA to the town employees affected by this article and all other funding warrants. Jim Paxton seconded the motion.

The moderator called for a voice vote on the motion to amend the article and declared the motion approved.

The moderator called for a voice vote on Article 6 as amended and declared it passed.

Janet Krzyzaniak made a motion to reconsider Articles 4, 5 and 6, noting that she voted on the affirmative side for all three articles.

The moderator called for a voice vote and declared the motion failed.

<u>Article 7:</u> The moderator recognized Chairman Flood for the purpose of moving Article 7, seconded by Selectman Congoran, to see if the Town will vote to raise and appropriate the sum of \$124,795 to defray the cost of Health & Human Services Operations:

Health & Human Services Operations	\$\$ in 2009
Community Action Program (CAP)	5,552
Human Services Administration	64,243
Human Services Vendors	<u>55,000</u>
Total	\$124,795
(Majority Vote Required)	
The Roard of Selectmen recommends this article	

The Board of Selectmen recommends this article. The Budget Committee recommends this article.

There was no debate on the article.

The moderator called for a voice vote and declared Article 7 passed.

<u>Article 8:</u> The moderator recognized Selectman O'Brien for the purpose of moving Article 8, seconded by Selectman Langwasser, to see if the Town will vote to raise and appropriate the sum of \$127,004 to defray the cost of Recreation Operations:

Recreation Operations\$\$ in Year 2009Recreation Department124,254Patriotic Purposes2,750Total\$127,004

(Majority Vote Required)

The Board of Selectmen recommends this article (according to original vote).

The Budget Committee recommends this article.

Valerie Carr made a motion to amend Article 8 to increase it by \$12,000 to a total of \$139,004, seconded by Louise Carr.

Karen Irwin said the difference from the original proposed budget was \$12,000 for summer camp. She said the Budget Committee thinks the Recreation Department should use the revolving fund to fund camp.

Louise Carr reminded voters that this is part of the process toward camp self-sufficiency. The requested cost has already been decreased since past years and will continue to go down next year.

Janet Krzyzaniak requested permission for Recreation Director Justin La Vigne to explain the revolving fund. The moderator invited Justin to speak.

Recreation Director Justin La Vigne explained that the revolving fund contains fees from programs, but it is allocated for several different programs. Within it, there is a summer camp line item. The plan is to continue building up this line item and make camp self-sufficient.

Tom Slosek asked if Justin was to make camp self-sufficient today, how would that affect the cost for camp participants.

Justin said his best estimate is that the cost would double, making the camp unaffordable.

The moderator called for a voice vote on the motion to amend Article 8. A second voice vote was needed. The moderate decided to conduct a standing vote.

The moderator read the results of the ballot vote on the amended Article 8—176 NO votes, 209 YES votes. Article 8 was declared passed.

Janet Krzyzaniak made a motion to reconsider Articles 7 and 8, noting that she voted on the affirmative side for the two articles.

The moderator called for a voice vote and declared the motion failed.

<u>Article 9:</u> The moderator recognized Holly Gagne for the purpose of moving Article 9, seconded by Selectman O'Brien, to see if the Town will vote to raise and appropriate the sum of \$284,733 to defray the cost of the Hopkinton Library:

Library Operations	<u>SS in Year 2009</u>
Hopkinton Library	284,733
Total	\$284,733
(Majority Vote Required)	

There was some discussion about how much say the Town has over this budget.

The moderator called for a voice vote and declared Article 9 passed.

Janet Krzyzaniak made a motion to reconsider Article 9, noting that she voted on the affirmative side for article.

The moderator called for a voice vote and declared the motion failed.

<u>Article 10:</u> The moderator recognized Selectman Congoran for the purpose of moving Article 10, seconded by Selectman O'Brien, to see if the Town will vote to raise and appropriate the sum of \$1 (one dollar) to defray the cost of Conservation:

<u>Conservation</u>	\$\$ in Year 2009
Conservation Commission	<u>1</u>
Total	\$1
(Majority Vote Required)	
The Board of Selectmen recommends this ar	ticle.

There was no debate on this article.

The moderator called for a voice vote and declared Article 10 passed.

<u>Article 11:</u> The moderator recognized Selectman Congoran for the purpose of moving Article 11, seconded by Selectman O'Brien, to see if the Town will vote to raise and appropriate the sum of \$408,268 for the payment of principal and interest of long-term debt:

Long-term Debt & TAN Interest	<u>\$\$ in Year 2009</u>
Principle-Bonds and Notes	286,698
Interest-Bonds and Notes	119,570
Interest-TAN	2,000
Total	\$408,268
(Majority Vote Required)	

The Board of Selectmen recommends this article.

There was no debate on this article.

The moderator called for a voice vote and declared Article 11 passed.

<u>Article 12:</u> The moderator recognized Chairman Flood for the purpose of moving Article 12, seconded by Selectman Congoran, to see if the Town will vote to raise and appropriate the sum of \$259,500 to be placed in previously established Capital Reserve funds as follows:

Capital Reserve Accounts	<u>\$\$ in Year 2009</u>
Public Works Vehicles and Equipment	115,000
Fire Department Vehicles and Equipment	60,000
Transfer Station Equipment	27,500
Police Cruiser and Accessories Equipment	18,000
Library Replacement Building Systems	12,000
Town Hall Renovations	10,000
Sludge Removal	10,000
Police Radio Equipment Replacement	<u>7,000</u>
Total	\$259,500
(Majority Vote Required)	
The Board of Selectmen recommends this article.	
The Budget Committee recommends this article.	

There was debate on this article.

The moderator called for a voice vote and declared Article 12 passed.

<u>Article 13:</u> The moderator recognized Selectman Lawless for the purpose of moving Article 13, seconded by Holly Gagne, to see if the Town will vote to raise and appropriate the sum of **\$10,500** to be placed in previously established Expendable Trust Funds as follows:

Expandable General Trust Funds	\$\$ in Year 2009
Hopkinton Library Technology	5,500
Hopkinton Library Buildings/Grounds	<u>5,000</u>
Total	\$10,500
(Majority Vote Required)	
The Board of Selectmen recommends this article.	
The Budget Committee recommends this article.	

There was no debate on this article.

The moderator called for a voice vote and declared Article 13 passed.

<u>Article 14:</u> The moderator recognized Selectman Langwasser for the purpose of moving Article 14, seconded by Chairman Flood, to see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35: 1 for the purpose of expansion construction of the Old

Hopkinton Cemetery and to raise and appropriate the sum of \$1 (one dollar) to be placed in this fund.

(Majority Vote Required)

The Board of Selectmen recommends this article.

There was no debate on this article.

The moderator called for a voice vote and declared Article 14 passed.

<u>Article 15:</u> The moderator recognized Chairman Flood for the purpose of moving Article 15, seconded by Selectman Langwasser, to see if the Town will vote to discontinue the Benefits Pay Trust Fund created in 2004. Said funds, presently \$38.88, with accumulated interest to date of withdrawal, are to be transferred to the Town's General Fund.

(Majority Vote Required)

The Board of Selectmen recommends this article.

There was no debate on this article.

The moderator called for a voice vote and declared Article 15 passed.

<u>Article 16:</u> The moderator recognized Chairman Flood for the purpose of moving Article 16, seconded by Selectman Langwasser, to see if the Town will vote to discontinue the Library Building Capital Reserve Fund created in 1993. Said funds are presently zero (\$0). (Majority Vote Required)

The Board of Selectmen recommends this article.

There was no debate on this article.

The moderator called for a voice vote and declared Article 16 passed.

Article 17: The moderator recognized Chairman Flood for the purpose of moving Article 17, seconded by Selectman Langwasser, to see if the Town will vote to discontinue the Legal Capital Reserve created in 2004. Said funds, presently \$1,358.45 and with accumulated interest to date of withdrawal, are to be transferred to the Town's General Fund.

(Majority Vote Required)

The Board of Selectmen recommends this article.

There was no debate on this article.

The moderator called for a voice vote and declared Article 17 passed.

<u>Article 18:</u> The moderator recognized Selectman Congoran for the purpose of moving Article 18, seconded by Selectman Langwasser, to see if the Town will vote to discontinue the Recreation Van Capital Reserve Fund created in 2006. Said funds, presently \$10,000 and with accumulated interest to date of withdrawal, are to be transferred to the Town's General Fund. (Majority Vote Required)

The Board of Selectmen recommends this article.

Louise Carr said this is not a request for new funding from taxpayers, nor was there a request last year, but that the Recreation Department just wants the fund left alone for future use.

Selectman Congoran noted that the Town should not be in the business of driving people around with liability issues and that is why the fund should be discontinued.

George Camp asked if the \$10,000 would be transferred to the Recreation budget.

Chairman Flood said that the way the law is set up, the money can only be transferred back into the General Fund.

The moderator called for a voice vote and declared Article 18 passed.

Janet Krzyzaniak made a motion to reconsider Articles 10, 11, 12, 13 and 14, noting that she voted on the affirmative side for articles.

The moderator called for a voice vote and declared the motion denied.

<u>Article 19:</u> The moderator recognized Glen Ohland for the purpose of moving Article 19, seconded by Chairman Flood, to see if the Town will vote to adopt the provisions of RSA 79-E for a community revitalization tax relief incentive program. Adoption of this tax relief incentive program will allow a property owner to apply for tax relief for a limited duration on improvements, when rehabilitating a qualifying structure. At the end of the tax relief period, the property shall be taxed at its full market value in accordance with RSA 75:1.

(Majority Vote Required)

The Board of Selectmen recommends this article.

The Planning Board recommends this article.

The Economic Development Committee recommends this article.

Selectman Flood clarified the law a little bit more, saying it would be on a case-by-case basis and the Board of Selectmen would make decisions about which structures qualify, but overall, it is meant to encourage economic development in Town. The timeline for improvements would be on a graduated scale depending on the structure type.

There was some discussion about the cost implications of this article.

The moderator called for a voice vote and declared Article 19 approved.

Article 20: The moderator called on Selectman Congoran for the purpose of moving Article 20, seconded by George Langwasser, to see if the Town will vote to authorize the Selectmen to establish and implement a mandatory "pay by bag" (or SMART) program and further to adopt the provisions of RSA 31:95-c for the purpose of accounting for the sale of solid waste bags (and tags and other receipts) as budgeted annually, to be used to offset the cost of collection and disposal of residential solid waste and such other direct and indirect costs as budgeted annually. Such revenue and expenditures shall be accounted for in a special revenue fund to be known as the Pay by Bag (or SMART) fund, separate from the general fund.

Any surplus in said fund shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of revenue.

(Majority Vote Required)

The Board of Selectmen recommends this article.

The moderator indicated there had been a written petition for a paper ballot vote on Article 20.

Katherine Mitchell from the Recycling Committee gave a presentation about SMART (Save Money And Reduce Trash) to highlight the benefits (e.g., increased recycling rate, long-term savings) and give the history of other similar programs in the state of New Hampshire.

Richard Gourley asked which Selectman did not recommend the article.

Selectman Langwasser said he did not necessarily vote against the program, but wanted to make sure the Town made their own decision.

There was lengthy debate from people who are for and people who are against the program.

The moderator called for the meeting to continue while the votes were counted. The final count for Article 20 was 212 YES votes, 215 NO votes.

The moderator declared Article 20 failed.

Article 21: The moderator called on Selectman Langwasser for the purpose of moving Article 21, seconded by Chairman Flood, to see if the Town will adopt the provisions of RSA 31:95-c to restrict 100% of collected rental fees from the Slusser Senior Center to expenditures for the purpose of offsetting operational and maintenance costs of the Slusser Senior Center. Such revenue and expenditures shall be accounted for in a special revenue fund to be known as the Senior Center Rental Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate from said fund for a specific purpose related to the purpose of the fund or source of revenue.

(Majority Vote Required)

The Board of Selectmen recommends this article.

There was no discussion on Article 21.

The moderator called for a voice vote and declared Article 21 passed.

Article 22: The moderator recognized Richard Houston for the purpose of moving Article 22, seconded by Lorraine Ellis, to see if the Town will vote to raise and appropriate the sum of \$4,000 in the interest of public health and safety to provide winter plowing and sanding on the following roads during the winter months:

South Shore Drive 1500 feet Ridge Lane 900 feet

Rolfe Pond Road	2000 feet
Salachar Road	500 feet
Perch Lane	700 feet
Sparrow Lane	1000 feet
Robin Lane	400 feet
Loop Road (off Spring Street)	800 feet

This action shall in no way be interpreted as changing the status of these roads from "private" to "public" roads. It is the general policy of the Town that no work will be done on any private or Class VI highway.

Submitted by Petition (Majority Vote Required)

The Board of Selectmen recommends this article.

Arnold Coda made a motion to amend Article 22 and add Tucker Drive to it, seconded by Pat Finnerty.

Cettie Connelly said Tucker Road was developed as self-sufficient as part of the agreement.

The moderator called for a voice vote and declared the motion failed.

There was some discussion on Article 22.

The moderator called for a voice vote and declared it passed.

Article 23: The moderator recognized Selectman Congoran for the purpose of moving Article 23, seconded by Selectman Lawless, to see if the Town will vote to authorize the Board of Selectmen to sell Columbia Hall and deposit resulting revenue in the general fund. The sale shall achieve the Town's best interest while honoring the deed covenant that states, "the building on said premises shall never be used for any purpose detrimental to the street or the church."

(Majority Vote Required)

The Board of Selectmen recommends this article.

Selectman Congoran explained that the Board is trying to look at real estate opportunities. If the Town does not vote to sell the building, the Town will not be able to inhabit or use it until the structural issues are fixed.

Byron Carr said he is in favor of selling Columbia Hall, but is not in favor of putting the sale money into the general fund. The money should go into a fund for repair of other town infrastructures, such as the barn.

Byron Carr submitted a written motion to amend Article 23 so that the Selectmen be directed to sell Columbia Hall and place the revenue in the Community Center Capitol Reserve Fund. Sarah Dustin seconded the motion to amend.

Several people said the motion was not legal and the language needed to be changed.

Byron Carr withdrew his motion to amend and Louise Carr submitted a motion to amend Article 23 to see if the Town will vote to authorize the Board of Selectmen to sell Columbia

Hall and deposit resulting revenue in the general fund. This legislative body authorizes the Board of Selectmen to place money from the said sale of Columbia Hall in the Community Center Capital Reserve Fund. Valerie Carr seconded the motion to amend.

Selectmen Lawless said he is still unsure if this amendment is legal and to just vote on whether or not to sell the building.

The moderator called for a voice vote and declared the motion failed.

There was further discussion about what kinds of sales might take place, especially with the condition of the building and the lack of parking.

The moderator called for a voice vote and declared Article 23 passed.

Janet Krzyzaniak made a motion to reconsider Articles 20, 21 and 22, noting that she voted on the affirmative side for articles.

The moderator called for a voice vote and declared the motion denied.

Article 24: The moderator recognized Chairman Flood for the purpose of moving Article 24, seconded by Selectman Congoran, to see if the Town will vote to authorize the Board of Selectmen to rent or lease the Horseshoe Tavern (aka the Heino building) for a period up to, but not exceeding, five years.

(Majority Vote Required)

The Board of Selectmen recommends this article.

Arnold Coda asked why the Town could not sell the building.

Chairman Flood said the property would need to be subdivided to do so.

The moderator called for a voice vote and declared Article 24 passed.

<u>Article 25:</u> The moderator recognized Selectman Lawless for the purpose of moving Article 25, seconded by Selectman Langwasser, as provided by RSA 32:5,V-a, to see if the Town shall require all votes by the Budget Committee and the Selectmen relative to budget items or warrant articles be recorded votes and require the numerical tally of any such vote be printed in the town warrant next to the affected warrant article.

(Majority Vote Required)

The Board of Selectmen recommends this article.

There was no debate on Article 25.

The moderator called for a voice vote and declared Article 25 passed.

<u>Article 26:</u> To hear reports of agents, officers and committees, heretofore chosen, to pass any vote relating thereto and to transact any other business that may legally come before said meeting.

502 registered voters present 4,658 registered voters on the checklist

Arnold Coda made the motion to adjourn the meeting at 1:54 p.m., seconded by Mrs. Katrina Richardson.

Respectfully submitted,

Sue B. Strickford, Town Clerk/Tax Collector